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## Letter dated 22 August 2014 from the Permanent Representative of Viet Nam to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I have the honour to transmit herewith a position paper of the Socialist Republic of Viet Nam concerning China's illegal placement of the *Haiyang Shiyou 981* oil rig in the exclusive economic zone and on the continental shelf of Viet Nam (see annex).

I would be grateful if you would circulate the present letter and the annex thereto as an official document of the General Assembly, under agenda item 76 (a).

(*Signed*) Mr. Le Hoai Trung
Ambassador Extraordinary and Plenipotentiary
Permanent Representative to the United Nations

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## Annex to the letter dated 22 August 2014 from the Permanent Representative of Viet Nam to the United Nations addressed to the Secretary-General

### China's illegal placement of the *Haiyang Shiyou 981* oil rig in the exclusive economic zone and continental shelf of Viet Nam

Concerning China's illegal placement of the *Haiyang Shiyou 981* oil rig in the exclusive economic zone and on the continental shelf of Viet Nam, the position of Viet Nam was clearly set forth in the document attached to the letter dated 3 July 2014 addressed to the Secretary-General of the United Nations by the Permanent Representative of the Socialist Republic of Viet Nam (A/68/943).

Viet Nam rejects the statements contained in the document attached to the letter dated 24 July 2014 addressed to the Secretary-General by the Permanent Representative of the People's Republic of China (A/68/956) referring to the operations of the *Haiyang Shiyou 981* oil rig, and emphasizes the following points:

1. The placement by China of the *Haiyang Shiyou 981* oil rig from 2 May to 15 July 2014 infringed upon Viet Nam's jurisdiction and sovereign rights in its exclusive economic zone and on its continental shelf, as defined in relation to the coast of Viet Nam under the 1982 United Nations Convention on the Law of the Sea. In any event, whatever the principle applied for the purpose of boundary demarcation, the area where the Chinese oil rig operated could never be within the exclusive economic zone or on the continental shelf of China.

2. The baseline used by China to measure the territorial waters of the Hoang Sa (Paracel) islands of Viet Nam fails to comply with the relevant provisions of the 1982 United Nations Convention on the Law of the Sea, to which China is a party. That baseline has therefore been rejected not only by Viet Nam but also by other States. Viet Nam's position was clearly set forth in the note of 6 June 1996 addressed to the United Nations.

3. A baseline incompatible with international law cannot be used as the basis for a maritime claim in a futile attempt to justify the illegal placement of the *Haiyang Shiyou 981* oil rig within the exclusive economic zone and on the continental shelf of Viet Nam.